

One Hundred Eighth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the twentieth day of January, two thousand and four*

An Act

To amend and extend the Irish Peace Process Cultural and Training Program
Act of 1998.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

**SECTION 1. AMENDMENT AND EXTENSION OF IRISH PEACE PROCESS
CULTURAL AND TRAINING PROGRAM.**

(a) IRISH PEACE PROCESS CULTURAL AND TRAINING PROGRAM
ACT.—

(1) PROGRAM PARTICIPANT REQUIREMENTS.—Section 2(a) of
the Irish Peace Process Cultural and Training Program Act
of 1998 (8 U.S.C. 1101 note) is amended by adding at the
end the following:

“(5) PROGRAM PARTICIPANT REQUIREMENTS.—An alien
entering the United States as a participant in the program
shall satisfy the following requirements:

“(A) The alien shall be a citizen of the United Kingdom
or the Republic of Ireland.

“(B) The alien shall be between 21 and 35 years of
age on the date of departure for the United States.

“(C) The alien shall have resided continuously in a
designated county for not less than 18 months before such
date.

“(D) The alien shall have been continuously
unemployed for not less than 12 months before such date.

“(E) The alien may not have a degree from an institu-
tion of higher education.”.

(2) EXTENSION OF PROGRAM.—Section 2 of the Irish Peace
Process Cultural and Training Program Act of 1998 (8 U.S.C.
1101 note) is amended—

(A) in subsection (a)(3), by striking “the third program
year and for the 4 subsequent years,” and inserting “each
program year,”; and

(B) by amending subsection (d) to read as follows:

“(d) SUNSET.—

“(1) Effective October 1, 2008, the Irish Peace Process
Cultural and Training Program Act of 1998 is repealed.

“(2) Effective October 1, 2008, section 101(a)(15)(Q) of the
Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(Q)) is
amended—

“(A) by striking ‘or’ at the end of clause (i);

“(B) by striking ‘(i)’ after ‘(Q)’; and

“(C) by striking clause (ii).”.

(3) COST-SHARING.—Section 2 of the Irish Peace Process Cultural and Training Program Act of 1998 (8 U.S.C. 1101 note), as amended by paragraph (2), is further amended—

(A) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(B) by inserting after subsection (b), the following new subsection:

“(c) COST-SHARING.—The Secretary of State shall verify that the United Kingdom and the Republic of Ireland continue to pay a reasonable share of the costs of the administration of the cultural and training programs carried out pursuant to this Act.”.

(4) TECHNICAL AMENDMENTS.—The Irish Peace Process Cultural and Training Program Act of 1998 (8 U.S.C. 1101 note) is amended—

(A) by striking “Attorney General” each place such term appears and inserting “Secretary of Homeland Security”; and

(B) by striking “Immigration and Naturalization Service” each place such term appears and inserting “Department of Homeland Security”.

(b) IMMIGRATION AND NATIONALITY ACT.—

(1) REQUIREMENTS FOR NONIMMIGRANT STATUS.—Section 101(a)(15)(Q) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(Q)) is amended—

(A) by striking “Attorney General” each place such term appears and inserting “Secretary of Homeland Security”; and

(B) in clause (ii)(I)—

(i) by striking “35 years of age or younger having a residence” and inserting “citizen of the United Kingdom or the Republic of Ireland, 21 to 35 years of age, unemployed for not less than 12 months, and having a residence for not less than 18 months”; and

(ii) by striking “36 months” and inserting “24 months”.

(2) FOREIGN RESIDENCE REQUIREMENT.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended—

(A) by redesignating the subsection (p) as added by section 1505(f) of Public Law 106–386 (114 Stat. 1526) as subsection (s); and

(B) by adding at the end the following:

“(t)(1) Except as provided in paragraph (2), no person admitted under section 101(a)(15)(Q)(ii)(I), or acquiring such status after admission, shall be eligible to apply for nonimmigrant status, an immigrant visa, or permanent residence under this Act until it is established that such person has resided and been physically present in the person’s country of nationality or last residence for an aggregate of at least 2 years following departure from the United States.

“(2) The Secretary of Homeland Security may waive the requirement of such 2-year foreign residence abroad if the Secretary determines that—

“(A) departure from the United States would impose exceptional hardship upon the alien’s spouse or child (if such spouse or child is a citizen of the United States or an alien lawfully admitted for permanent residence); or

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“(B) the admission of the alien is in the public interest or the national interest of the United States.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*